

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, :
Plaintiff, :
v. :
MICHAEL BRASSINGTON, PAUL :
BRASSINGTON, BRIAN MCKENZIE, :
JOHN FRANCIS VIEIRA, AND JOHN :
KIMBERLING, :
Defendants.

Hon. Dennis M. Cavanaugh

ORDER

Crim. No. 09-CR-45 (DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion by Defendant John Kimberling (“Defendant”) for a stay of the proceedings against him, or a severance from within the proceedings, on the grounds he is unable to travel for medical reasons. After considering the submissions of the parties, and based upon the Court’s Opinion filed this day;

IT IS this 26th day of August, 2010;

ORDERED Defendant’s motion to stay is **denied**; and further,

ORDERED Defendant’s motion to sever is **denied**.

S/ Dennis M. Cavanaugh
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk’s Office
cc: All Counsel of Record
File